

Remarks/Arguments:

The applicant would like to thank the examiner for the telephonic interview on February 10, 2009, in which the claims and the prior art were discussed.

The above Amendments and these Remarks are in reply to the Office Action mailed October 30, 2008.

Claims 14-30 and 42-67 have been cancelled.

Claims 14-21, 23, 24, 26, 28-37 and 42-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed et al. (U.S. Patent No. 6,345,288).

Claims 31-36 include the use of both one phase and two phase updates. The use of both one phase and two phase updates in a system is not shown or made obvious by the cited prior art.

The examiner states that:

Regarding the one-phase and two-phase method mentioned in claim 31, it is simply interpreted that the one-phase method corresponds to when there is no missing previous version, and the two-phase method corresponds to when there is a missing previous version.

The independent claims have been amended to include the feature that “before the replication is to be done, determining whether the replication should be accomplished in a one or two phase method based on setup information”. This distinguishes the examiners interpretation of Reed. This feature makes it clear that the use of a one or two-phase method does not depend on there being a missing previous version.

New claims 68-72 with the feature “multiple data items are replicated over the network, each data item having an associated data item identifier; and wherein the version number is associated with one of the data item identifiers have been” have been added.

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if they can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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By: /Joseph P. O'Malley/
Joseph P. O'Malley
Reg. No. 36,226

Customer No. 80548
FLIESLER MEYER LLP
650 California Street, 14th Floor
San Francisco, California 941080
Telephone: (415) 362-3800